United Nations A/HRC/33/L.17

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 8
Follow-up to and implementation of the Vienna Declaration and Programme of Action

Afghanistan,* Albania, Armenia,* Australia,* Austria,* Bahamas,* Belgium, Bulgaria,* Bosnia and Herzegovina,* Canada,* Costa Rica,* Croatia,* Cyprus,* Denmark,* Estonia,* Finland,* France, Georgia, Germany, Greece,* Guatemala*, Honduras,* Iceland,* Ireland,* Italy,* Latvia, Luxembourg,* Mexico, Monaco,* Morocco, Montenegro,* Netherlands, New Zealand,* Nigeria, Norway,* Panama, Philippines, Poland,* Portugal, Republic of Korea, Republic of Moldova,* Romania,* Rwanda,* Sierra Leone,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* Timor-Leste,* Turkey,* United States of America,* Ukraine,* Uruguay:* draft resolution

33/... National institutions for the promotion and protection of human rights

The Human Rights Council,

Recalling all relevant resolutions of the Human Rights Council, the General Assembly and the Commission on Human Rights on national institutions for the promotion and protection of human rights, including most recently Council resolution 27/18 of 24 September 2014 and General Assembly resolution 70/163 of 17 December 2015,

Reaffirming the importance of establishing and strengthening independent, pluralistic national human rights institutions[1] in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),

Reaffirming also the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory

* State not a member of the Human Rights Council.

[1] National human rights institutions are the national institutions for the protection and promotion of human rights referred to in the Vienna Declaration and Programme of Action and the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

capacity to the competent authorities and their role in preventing and remedying human rights violations, in the dissemination of human rights information, and education in human rights,

Reaffirming further the important role that such national human rights institutions play, and will continue to play, in promoting and protecting human rights and fundamental freedoms, strengthening participation, in particular of civil society organizations, promoting the rule of law, developing and enhancing public awareness of those rights and fundamental freedoms, and contributing to the prevention of human rights violations and abuses,

Recognizing the importance of the independent voice of national human rights institutions in promoting and protecting all human rights, including, in accordance with their mandates, economic, social cultural, civil and political rights, particularly in the context of implementation of the 2030 Agenda for Sustainable Development,[2]

Welcoming the valuable participation and contribution of national human rights institutions to all relevant United Nations mechanisms and processes, in accordance with their respective mandates, including, currently, the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Open-ended Working Group on Ageing, their continuing efforts in the 2030 Agenda for Sustainable Development, and with regard to follow-up to the recommendations of international human rights mechanisms,

Commending the important role of the Office of the United Nations High Commissioner for Human Rights in assisting the development of independent and effective national human rights institutions, in accordance with the Paris Principles, and recognizing in this regard the potential for strengthened and complementary cooperation among the Office of the High Commissioner, the Global Alliance of National Human Rights Institutions,[3] regional networks of national human rights institutions and national human rights institutions in the promotion and protection of human rights,

Welcoming the recent Mérida Declaration on the role of national human rights institutions in implementing the 2030 Agenda for Sustainable Development, adopted at the twelfth International Conference of Global Alliance of National Human Rights Institutions,[4] and inviting national human rights institutions to continue their work in accordance with the Mérida Declaration and with their mandate,

Welcoming also the strengthening in all regions of regional and cross-regional cooperation among national human rights institutions, and between national human rights institutions and other regional human rights forums,

1. *Welcomes* the most recent reports of the Secretary-General submitted to the Human Rights Council on national human rights institutions[5] and on the activities of the Global Alliance of National Human Rights Institutions in accrediting national human rights institutions in compliance with the Paris Principles;[6]

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[2] General Assembly resolution 70/1.

[3] Previously known as the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

[4] A/HRC/31/NI/14.

[5] A/HRC/33/33.

[6] A/HRC/33/34.

2. *Commends* the decision of the Chairs of the human rights treaty bodies to consider a common treaty body approach to engagement with national human rights institutions at their twenty-ninth annual meeting, in 2017;[7]

3. *Encourages* Member States to establish effective, independent and pluralistic national human rights institutions or, where they already exist, to strengthen them to enable the effective fulfilment of their mandate to promote and protect human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action, and to do so in accordance with the Paris Principles;

4. *Recognizes* that, consistent with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for national institutions for the promotion and protection of human rights that is best suited to its particular needs at the national level in order to promote human rights in accordance with its international human rights obligations and commitments;

5. *Also recognizes* the role of independent national human rights institutions in working together with their Governments to ensure full respect for human rights at the national level, including by contributing, as appropriate, to follow-up actions to the recommendations made by international human rights mechanisms;

6. *Encourages* national human rights institutions to continue to play an active role in preventing and combating all violations and abuses of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. *Also encourages* national human rights institutions to assist, advise and engage with the State and other stakeholders in the prevention of violations and abuses of human rights, including by promoting the ratification of international treaties, promoting legal and procedural reforms, conducting practical and relevant human rights training and education, and raising public awareness and advocacy about the promotion and protection of human rights;

8. *Stresses* the importance of financial and administrative independence and the stability of national human rights institutions for the promotion and protection of human rights, and notes with satisfaction the efforts of those Member States that have provided their national human rights institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

9. *Also stresses* that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries;

10. *Recognizes* the role that national human rights institutions can play in preventing and addressing cases of reprisal as part of supporting cooperation between their Governments and the United Nations in the promotion of human rights, including by contributing, as appropriate, to follow-up actions to recommendations made by international human rights mechanisms;

11. *Calls upon* States to promptly and thoroughly investigate any cases of alleged reprisal or intimidation against members or staff of national human rights institutions or

[7] A/71/270.

against individuals who cooperate, seek to cooperate or have cooperated with them, and to bring the perpetrators to justice;

12. *Welcomes* the growing number of Member States establishing or considering the establishment of national human rights institutions in accordance with the Paris Principles, and welcomes in particular the large number of States that have accepted recommendations to establish national human rights institutions through the universal periodic review and, where relevant, by treaty bodies and special procedures;

13. *Also welcomes* the continuing number of national institutions seeking accreditation status through the Global Alliance of National Human Rights Institutions, and encourages national institutions, including ombudsman institutions, to seek accreditation status;

14. *Further welcomes* the important role of the Global Alliance of National Human Rights Institutions, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assessing conformity with the Paris Principles and in assisting States and national institutions, when requested, to strengthen national human rights institutions in accordance with the Paris Principles;

15. *Encourages* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions in accordance with the Paris Principles;

16. *Welcomes* the efforts made by the High Commissioner to strengthen United Nations system-wide coordination in support of national human rights institutions, including the tripartite partnership between the United Nations Development Programme, the Office of the High Commissioner and the Global Alliance of National Human Rights Institutions,[*] and encourages all United Nations human rights mechanisms, and its agencies, funds and programmes, to work within their respective mandates with national human rights institutions;

17. *Calls upon* the Secretary-General to continue to encourage national human rights institutions to interact with and advocate for independent participation in all relevant United Nations mechanisms and processes, in accordance with their respective mandates;

18. *Recognizes* the important role played by national human rights institutions in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, and in engaging with the human rights treaty bodies, in accordance with General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, Council resolutions 5/1 and 5/2 of 18 June 2007, Council decision 19/119 of 22 March 2012, and Commission on Human Rights resolution 2005/74 of 20 April 2005;

19. *Encourages* national human rights institutions to continue to participate in and contribute to the work of the Human Rights Council, including the universal periodic review, and to continue to engage with the special procedures and treaty bodies by, inter alia, providing parallel reports and other information;

20. *Commends in particular* the increasing engagement of national human rights institutions at all stages of the universal periodic review, and encourages national human rights institutions to monitor, promote and support the implementation of accepted recommendations in their respective national contexts;

[*] General Assembly resolution 70/163, para. 19.

21. *Welcomes* the increased engagement between the special procedures and national human rights institutions, including during country and follow-up visits and on thematic reports, and encourages the deepening of such engagement, including through the participation of national human rights institutions following the presentation of country mission reports to the Human Rights Council;

22. *Encourages* the human rights treaty bodies, within their respective mandates and in accordance with the treaties establishing these mechanisms, to continue to consider a common treaty body approach to engaging national human rights institutions to ensure the effective and enhanced participation by national human rights institutions compliant with the Paris Principles at all relevant stages of their work;

23. *Welcomes* the endorsement by the General Assembly of the strengthening of opportunities for national human rights institutions compliant with the Paris Principles to contribute to the work of the Human Rights Council in its resolutions, including most recently in General Assembly resolution 70/163;

24. *Commends* the efforts made to date by all relevant United Nations mechanisms and processes, in accordance with their respective mandates and in accordance with General Assembly resolution 70/163, including the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Open-ended Working Group on Ageing, and the 2030 Agenda for Sustainable Development, including the high-level political forum on sustainable development, to further enhance the participation of national human rights institutions compliant with the Paris Principles and to allow for their contribution to these United Nations mechanisms and processes, bearing in mind the relevant provisions dealing with their participation contained in General Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 5/2, and 16/21 of 25 March 2011, and Commission on Human Rights resolution 2005/74, and encourages the continuation of these efforts;

25. *Invites* both the Expert Mechanism on the Rights of Indigenous Peoples and the United Nations Permanent Forum on Indigenous Issues to work to further enhance the participation of national human rights institutions, in accordance with their mandates and rules of procedure;

26. *Commends* the work of the Office of the High Commissioner with national human rights institutions, including through technical cooperation, capacity-building activities and advice, and encourages the High Commissioner, in view of the expanded activities relating to national human rights institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, including by supporting the work of the Global Alliance of National Human Rights Institutions and its regional networks, and invites Governments to contribute additional voluntary funds to that end;

27. *Welcomes* the strengthening of international cooperation among national human rights institutions, including through the Global Alliance of National Human Rights Institutions, and encourages the Secretary-General to continue to provide the assistance necessary for holding international, regional and cross-regional meetings and conferences of national human rights institutions, including meetings of the Global Alliance of National Human Rights Institutions, in cooperation with the Office of the High Commissioner;

28. *Also welcomes* the important role of national human rights institutions in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

29. *Further welcomes* the strengthening in all regions of regional cooperation among national human rights institutions, and notes with appreciation the continuing work

of the Network of African National Human Rights Institutions, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the European Network of National Human Rights Institutions;

30. *Encourages* all States and national human rights institutions to continue to take appropriate steps to promote cooperation, the exchange of information, the sharing of experience and the dissemination of best practices concerning the establishment and effective operation of national human rights institutions;

31. *Invites* national human rights institutions to include in their cooperation the exchange of best practices on strengthening their liaison role between civil society and their Governments;

32. *Requests* the Secretary-General to submit to the Human Rights Council, at its thirty-ninth session, a report on the implementation of the present resolution, and a report on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the Paris Principles.